

Rec'd PCT/PTO 08 JUL 2002

#5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

PC

REBECCA E. CAHOON ET AL.

CASE NO.: BB-1410

APPLICATION NO.: 09/807,946

GROUP ART UNIT: UNKNOWN

FILED: APRIL 20, 2001

EXAMINER: UNKNOWN

FOR: WUSCHEL (WUS) GENE HOMOLOGS

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Notification of Defective Response mailed June 4, 2002.

In response to the Oath and Declaration defect, attached please find three separate Form PCT/IB/306's showing the addition of the following inventors: William James Gordon-Kamm, Yummin Tao and Christopher Jay Schelonge. The Declaration currently on record reflects these additional inventors. Please charge the \$130.00 late Oath or Declaration fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

In response to the defect concerning additional fees due, please charge the additional fees of \$2,160 to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



PAUL D. GOLIAN  
ATTORNEY FOR APPLICANTS  
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TELEPHONE: 302-992-3749  
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Dated: 27 June 2002

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PTO/SB/92 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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### Certificat of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on July 2, 2002  
Date

Signature

COLLEEN A. TAYLOR

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

For Application No. 09/807,946 (Docket No. BB-1410PCT)  
Response to Notification of Defective Response  
Three (3) of Form PCT/IB/306  
Copy of Notification of Defective Response  
Post Card

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/807,946	Rebecca E Cahoon	BB1410PCT

Rizzo, Thomas M.  
 E.I. Du Pont De Nemours and Company  
 Legal Patent Records Center  
 1007 Market Street  
 Wilmington, DE 19898

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PATENT RECORDS  
CENTER

INTERNATIONAL APPLICATION NO.	
PCT/US00/26648	
IA. FILING DATE	PRIORITY DATE
09/28/2000	10/01/1999

CONFIRMATION NO. 9292

371 FORMALITIES LETTER



\*OC00000008215430\*

Date Mailed: 06/04/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

*Dec + Fees*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The declaration shows additional inventors not listed on the International Application.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$2160** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$2290** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2160**
  - **\$2160** for 135 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9116

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/807,946	PCT/US00/26648	BB1410PCT

FORM PCT/DO/EO/916 (371 Formalities Notice)